

OVER THE COUNTER

*** CLERK, US COURT, INNB ***

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

ADVERSARY 20-2016

In Re:)	Chapter 7 Proceedings
JOHN MILEUSNIC)	Case No. 20-21394-JRA
Debtor)	ANSWER TO TRUSTEES'
)	COMPLAINT

AMENDED

ANSWER TO DOC 74 TRUSTEES COMPLAINT TO DENY DISCHARGE and EXTEND
DEADLINES

Comes now JOHN MILEUSNIC Debtor herein response to trustees' Complaint [Doc 74] to Deny Discharge and in support thereof, states as follows:

1. US Trustee filed [Doc 16] a Motion to Dismiss raising the prior discharge [less than 8 years] issue of prior case.
2. Trustee informed and explained that this case must be dismissed, as six years has not passed after the date of the filing of a prior case [case number 14-23124 on January 12, 2015] in which a discharge was entered under 11 U.S.C. § 727.
3. John accepted Trustees' Motion [Doc 16] and filed a voluntary Motion to Dismiss [Doc 67.]
4. Before matter could be heard, Trustee filed [Doc 75] a Notice to withdraw its Motion to Dismiss, which Court accepted on 10/13/2020 and entered as follows:

Entry: Based upon U.S. Trustee's withdrawal of Motion to Dismiss, the hearing scheduled for October 23, 2020 at 10:30 a.m. is removed from the court's calendar (related

document(s)16 Motion to Dismiss Case filed by Nancy J. Gargula). (cjg) (Entered: 10/13/2020)

5. Trustee also filed [Doc 74] an Adversary Complaint to deny Discharge.

Para 11 of the Complaint

The Defendant's Chapter 7 discharge should be denied because he obtained a discharge in a case filed less than eight years prior to the filing of the current Chapter 7 case.

6. Surprisingly the result of both "Trustees' Motion to Dismiss [Doc16]" and "Trustees' Adversary Complaint to Deny Discharge [Doc74]" will lead to the same outcome as requested by John in its "Voluntary Motion to Dismiss [Doc67.]"

7. John once again agrees and accepts this Trustees' Complaint to "Deny Discharge under Ch-7" case number 14-23124 and **requests this Court to DENY DISCHARGE under Ch -7.**

8. Due to current COVID situation and Johns current age of 70, John is a high-risk individual and mostly at home and has tough time to find and fund for these legal proceedings when Trustee has already blocked all funds.
<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

9. Northern District of Indiana has also posted Important Information Regarding Court Procedures During the COVID-19

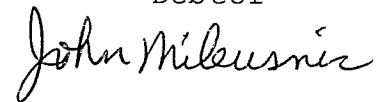
Pandemic:

<https://www.innb.uscourts.gov/sites/innb/files/2020-20.pdf>

10. Till this matter is decided, all other Motions / Issues filed by all parties may please be held in abeyance and deadlines may please be extended.
11. As only CapitalOne has filed Proof of Claim, John requests this Court to Order the Creditors to file proof of Claim and declare their intention to negotiate / renegotiate / Reaffirmation Agreement for John's outstanding.

JOHN MILEUSNIC

Debtor

A handwritten signature in black ink that reads "John Mileusnic". The signature is written in a cursive, flowing style.

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2020, service of a true and complete copy of the above and foregoing pleading or paper is being made through the Court's ECF system upon the following:

1. **U.S. Trustee- Nancy J. Gargula**
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Represented by Jennifer Prokop
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South Bend, IN 46601
(574) 236-8105
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2. Kenneth A. Manning
Kenneth A. Manning, Ch. 7 Trustee
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(219) 865-8376
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3. **SUSAN M. WOOLLEY** On behalf of Creditor Penny Mac Loan
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